

Message Text

UNCLASSIFIED

PAGE 01 STATE 250181

66

ORIGIN ARA-10

INFO OCT-01 ISO-00 SNM-02 TRSE-00 DEAE-00 /013 R

DRAFTED BY ARA/NC/C:DWCOX:MMS

APPROVED BY ARA/NC:FJDEVINE

ARA:GBROWN (SUBS)

S/NM:RDUGSTAD (SUBS)

----- 072259

P 212132Z OCT 75

FM SECSTATE WASHDC

TO AMEMBASSY BOGOTA PRIORITY

UNCLAS STATE 250181

E.O. 11652: N/A

TAGS: SNAR, CO

SUBJECT: NARCOTICS: CHARGE THAT US OPENS COLOMBIAN MAIL

REFERENCE: BOGOTA 9875

FOLLOWING STATEMENT FROM BUREAU OF CUSTOMS MAY BE DRAWN UPON
IN ANSWERING INQUIRIES:

QUOTE CUSTOMS DOES NOT OPEN ALL INTERNATIONAL MAIL FROM
COLOMBIA. IT DOES EXAMINE MAIL SUSPECTED TO CONTAIN DUTI-
ABLE MERCHANDISE AS PROHIBITED ITEMS. CUSTOMS AUTHORITY TO
EXAMINE MAIL ORIGINATING OUTSIDE THE CUSTOMS TERRITORY OF
THE UNITED STATES IS BASED UPON 19 U.S.C. 422, 1461, 1467,
1498(A), 1499, 1581, 1582 AS WELL AS THE REGULATIONS CON-
TAINED IN THE CODE OF FEDERAL REGULATIONS (CFR), VOLUME 39,
PART 61 AND SECTION 145 OF CUSTOMS REGULATIONS (19 CFR 145.
2). THIS SECTION PROVIDES FOR BOTH SEALED AND UNSEALED MAIL
OF ALL CLASSES AND REFERS SPECIFICALLY TO MAIL IMPORTATIONS.

SINCE LETTER CLASS MAIL HAS BEEN FOUND TO BE A VEHICLE FOR
INTRODUCING NARCOTICS, AND OTHER PROHIBITED ITEMS, IT HAS
BECOME IMPERATIVE FOR CUSTOMS TO EXAMINE SUCH MAIL. WHILE
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 250181

LETTER CLASS MAIL DOES NOT LAND ITSELF TO LARGE-SCALE

SMUGGLING, THE CUMULATIVE TOTAL OF DRUGS, IS SUBSTANTIAL.

LETTERS FROM A NUMBER OF COUNTRIES, HAVE BEEN FOUND TO CONTAIN SUCH NARCOTICS AS HEROIN, COCAINE, HASHISH, AND MARIJUANA. OFTEN, THE QUANTITIES ARE SMALL AND CAN BE DETECTED ONLY BY ACTUALLY OPENING THE ENVELOPE. WHEN AN INCOMING LETTER IS OPENED AND FOUND TO BE FREE OF PROHIBITED OR DUTIABLE MATERIALS, CUSTOMS STAMPS THE ENVELOPE TO INDICATE WHERE THE ENVELOPE WAS OPENED.

IN RESPONDING TO ANY INQUIRY IT SHOULD BE STRESSED THAT LETTERS OR OTHER MATERIAL IS NOT READ. REGULATIONS (19 CFR 145.3) EXPLICITLY PROHIBIT ANY CUSTOMS EMPLOYEE FROM READING, OR ALLOWING ANY OTHER PERSON TO READ, ANY CORRESPONDENCE WITHOUT FIRST OBTAINING A PROPERLY AUTHORIZED SEARCH WARRANT PERMITTING SUCH ACTION.

(FYI: IN RECENT YEARS IN CASES SUCH AS CHAPMAN V. UNITED STATES, 443 F.2D 917 (10TH CIR. 1971), AND UNITED STATES V. SWEDE, 326 F. SUPP. 533 (S.D.N.Y. 1971), COURTS HAVE INDICATED THAT SEALED LETTER MAIL FROM ABROAD MAY BE OPENED WITHOUT A WARRANT OR PERMISSION FROM THE ADDRESSEE FOR PURPOSES OF CUSTOMS EXAMINATION TO DETERMINE THE PRESENCE OF DUTIABLE OR PROHIBITED ARTICLES. MOST RECENTLY THE UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT HAS STRONGLY UPHELD THE CONSTITUTIONALITY OF OUR MAIL SEARCH PROCEDURES, A DECISION WHICH HAS BEEN ALLOWED TO STAND BY THE UNITED STATES SUPREME COURT.) UNQUOTE INGERSOLL

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DRUG CONTROL, POSTAL SERVICE, CUSTOMS INSPECTIONS, SMUGGLING CONTROL
Control Number: n/a
Copy: SINGLE
Draft Date: 21 OCT 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE250181
Document Source: CORE
Document Unique ID: 00
Drafter: DWCOX:MMS
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750365-0649
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19751036/aaaabfxr.tel
Line Count: 89
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN ARA
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 75 BOGOTA 9875
Review Action: RELEASED, APPROVED
Review Authority: buchant0
Review Comment: n/a
Review Content Flags:
Review Date: 17 SEP 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <17 SEP 2003 by MaustMC>; APPROVED <12 FEB 2004 by buchant0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: NARCOTICS: CHARGE THAT US OPENS COLOMBIAN MAIL
TAGS: SNAR, CO, US
To: BOGOTA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006